

TEMPORARY  
AMENDED

No. 73890T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 24 2006

Returned to applicant for correction

Corrected application filed MAR 01 2006

Map filed MAR 01 2006

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The applicant **The Board of Regents, University of Nevada System** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Claim 607 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants", in Equity Docket A-3.**

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1. The source of water is **Truckee River**
2. The amount of water to be changed **up to 134.69 AFA and a prorata share of the diversion rate**
3. The water to be used for **As Decreed**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **within the NW¼NW¼ Section 6, T.19N., R.22E., M.D.M. at a point from which the NE corner of said Section 6 bears North 75°17'58" East, a distance of 4,322 feet.**
6. The existing permitted point of diversion is located within **The SE¼ of the SE¼ of Section 7, T.19N., R.20E., MDM, or at a point from which the NE corner of said Section 7 bears North 3°25' East, 4795.00 feet (Pioneer Ditch)**
7. Proposed place of use **393.63 acres within N½ Section 1, E½ Section 2, SE¼ Section 10, W½NE¼, W½ Section 11, T.19N., R.21E.; N½, N½SW¼ Section 6, T.19N., R.22E.; E½ Section 31, W½ Section 32, T.20N., R.22E., MDM**
8. Existing place of use **134.17 acres within a portion of the W½SW¼ Section 14, portions of the E½SE¼ and the SW¼SE¼ Section 15, portion of the W½NE¼ Section 22, T.19N., R.20E., MDM (113.01 acres from APN 21-030-06 and 21.16 acres from APN 21-030-23, as shown on Truckee River Map TR-046)**
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Proposed gasoline-powered pumps of 5 to 10 horsepower with a wet well intake in the Truckee River.**
12. Estimated cost of works **at least \$5,000.00**
13. Estimated time required to construct works **3 months**
14. Estimated time required to complete the application of water to beneficial use **12 months**

15. Remarks: See Attached

Bruce R. Scott, Resource Concepts, Inc.  
By s/ Bruce R Scott  
340 North Minnesota Street  
Carson City, Nevada 89703

Compared sc/ gkl W/ gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 607, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of the water placed to beneficial use. The totalizing meter must be installed before any use of water begins.

Water from 73890T will be commingled with water from 73889T and 73891T for the irrigation of 77.78 acres within the proposed place of use and not to exceed an annual duty of 4.5 acre-feet per acre from any and/or all sources. Period of use is as decreed.

The total combined duty of water under Temporary Permits 73889T, 73890T and 73891T shall not exceed 350 acre-feet annually. The total combined duty of water under Temporary Permits 73890T and 73891T shall not exceed 134.69 acre-feet annually.

Temporary Permits 73889T, 73890T and 73891T are issued subject to the availability of water as determined by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 28, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 134.69 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A - Temporary

Proof of completion of work shall be filed on or before:

N/A - Temporary

Water must be placed to beneficial use on or before:

N/A - Temporary

Proof of the application of water to beneficial use shall be filed on or before:

N/A - Temporary

Map in support of proof of beneficial use shall be filed on or before:

N/A - Temporary

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 29th day of March, A.D. 2006

  
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State Engineer

ATTACHMENT TO TEMPORARY APPLICATIONS TO CHANGE TRUCKEE RIVER  
DECREE CLAIM 607

Item 15. Remarks.

This Application is one of two being filed concurrently to temporarily change a portion of Claim 607. These two changes are proposed to be used supplementally from two new points of diversion at pumps in the Truckee River. These two applications will be utilized in conjunction with a third Application to Change a portion of Claim 601. This is part of The Nature Conservancy's continuing efforts to rehabilitate natural vegetation at the McCarran Ranch and to assist in the improvement of water quality in the Truckee River. This project is a cooperative effort of The Nature Conservancy, the City of Reno, and the University of Nevada, Reno. A total of 350 AFA is proposed to be temporarily moved from the University's Main Farm area downstream to be used within the 393.63 acres being acquired by The Nature Conservancy through the sale of the Ranch. In the first three years of use of this water seven acres of riparian area were planted and watered, including approximately 10,000 trees. In the next year, establishment of nine (9) new wetland areas and further riparian area development with extensive planting of trees and other shrubs and vegetation is planned.

The duty of water under Claims 601 and 607 is 4.0038 acre-feet per acre and 1.0039 acre-feet per acre, respectively. Although these applications are removing 53.78 acres and 134.81 acres from the Claims 601 and 607 irrigation areas, the duty proposed for transfer will reflect the decreed duty of the surface water rights at the proposed place of use (4.5 acre-feet per acre). This will allow a total of 77.78 acres to be irrigated annually within the overall 393.63 acres

Please use Truckee River Decree Maps TR-045 and TR-046 and the map under 67182 on file at the Division of Water Resources to support the existing point of diversion and place of use, and the map on file under 67962-T to support the proposed place of use.